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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/566,001

01/20/2006

Andre Postma

NL 030887

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24737

7590

05/15/2009

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

YU, HENRY W

ART UNIT

PAPER NUMBER

2182

MAIL DATE

DELIVERY MODE

05/15/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/566,001	Applicant(s) POSTMA ET AL.	
	Examiner HENRY YU	Art Unit 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 January 2009 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/566,001.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The instant application having Application No. 10/566,001 has a total of 13 claims pending in the application; there are 2 independent claims and 11 dependent claims, all of which are ready for examination by the examiner.

INFORMATION CONCERNING OATH/DECLARATION

Oath/Declaration

1. The applicant's oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in **37 C.F.R. 1.63**.

INFORMATION CONCERNING DRAWINGS

Drawings

2. The applicant's drawings submitted are acceptable for examination purposes.

OBJECTIONS TO THE SPECIFICATION

Specification

3. The disclosure is objected to because of the following informalities:

On **[Page 6, line 17-18]**, item 21 is labeled as a "*functionality button*" or "*button*," though item 21 is referred to as the side view of device 20 earlier in the specification. Examiner is also unsure whether the "*functionality button*" is also the same as item 22, which is labeled as an "*activation button*."

Appropriate correction is required.

Claim Objections

4. **Claims 1 and 9** are objected to because of the following informalities:

In **claim 1** on line 4, the word "*recognise*" should be replaced with *–recognize–*.

The same also applies to claim 9 on line 6, where "*recognising*" should be replaced with *–recognizing–*.

Appropriate correction is required.

REJECTIONS NOT BASED ON PRIOR ART

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. **Claims 5-6** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 receives the limitation "*the functionality device*" on line 3, which is unclear since earlier in the claim there exists more than one functionality device, with the limitation on line 3 not specifying which of the plurality of functionality device is being referred to. Examiner suggests Applicant insert the phrase "*one or more*" before "*functionality device*."

Claim 6 discloses the limitation "*the device*" on line 2, which is unclear as there is disclosed a "*functionality device*" and an "*electronic device*." For the purpose of examination Examiner assumes "*the device*" refers to the "*functionality device*."

CLAIM INTERPRETATION

7. Applicant's claims are extremely broad and read on systems and methods of interfacing a "functionality device" to a main/electronic device. The claims as worded can apply to any types of device interfacing beyond the scope of the Applicant's invention as described in the written specification. For instance, though the written specification mentions an entertainment device such as a DVD player, the claims as worded can also apply to an ordinary computer system (such as a desktop or laptop) and attached peripherals.

One example that can be covered by the claims of the instant application is the idea of adding wireless networking to a laptop computer through a PCMCIA slot (where the laptop computer obtains the additional functionality of wireless communication once the wireless networking device is physically connected to the laptop). Another example that can be covered by the claims of the instant application is the interfacing of a printer to a computer through a wireless interface, which gives the computer the additional functionality of printing documents on paper.

8. In the interest of speeding the prosecution of the case, Examiner urges the Applicant to claim only that which he believes he has invented.

REJECTIONS BASED ON PRIOR ART

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. **Claims 1, 3-5, 7-9, and 12-13** are rejected under 35 U.S.C. 102(e) as being anticipated by Striemer (Patent Number US 6,931,463 B2).

As per **claim 1**, Striemer discloses “*an electronic system comprising one or more functionality devices (**companion device that provides non-native function to a different electronic device; Column 1, lines 54-56**) and an electronic device adapted so that the one or more functionality devices are locatable in proximity to the electronic device (**Column 1, lines 59-65**).*”

Striemer also discloses “*the electronic device being operable to recognise the presence of the one or more functionality devices (**Column 1, lines 59-62**), and, upon recognition of said one or more functionality devices, the electronic device being operable to perform one or more additional functionality features associated with said one or more functionality devices whilst said one or more functionality devices are in proximity to the electronic device (**Column 1, lines 62-67; Column 2, lines 1-7**).*”

As per **claim 3**, Striemer discloses “*at least one of said one or more functionality devices (**companion device**) and the electronic device (**from the companion device's***

***perspective, a different electronic device)** are operable to communicate via wireless communication by using an electromagnetic signal (**Column 1, lines 56-59**).*

As per **claim 4**, Strierner discloses “*the electromagnetic signal is implemented using electromagnetic radiation complying with the Bluetooth standard (**Column 1, lines 56-59**).*”

As per **claim 5**, Strierner discloses “*access to the one or more additional functionality features of said one or more functionality devices is conditional upon activation of the functionality device (**from the electronic device’s perspective, in order to activate the functions of the companion device a link must established, along with the proper authentication and authorization information; Column 5, lines 1-17**).*”

As per **claim 7**, Strierner discloses “*at least one of said one or more functionality devices is activated by using electromagnetic signal communication with an additional device (**through the use of a local wireless interface in conjunction with identification mechanism; Column 5, lines 3-9**).*”

As per **claim 8**, Strierner discloses “*the activation is conditional upon communication of one or more codes (**in order to establish a link, and hence from the electronic device's perspective activate the functionality of the companion device, authentication and authorization information are required; Column 5, lines 9-14**).*”

As per **claim 9**, Strierner discloses “*a method of providing additional functionality to an electronic device, the method including the steps of: (a) providing an electronic*

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*device operable to performing a set of functions (**Column 1, lines 59-65**)” and “(b) providing at least one functionality device adapted so as to be engagable in at least close spatial proximity to the electronic device (**Column 1, lines 59-65**).”*

Strierner also discloses “(c) *arranging for said electronic device to be capable of recognising the presence of said at least one functionality device when in close spatial proximity to the electronic device (**Column 1, lines 59-65**)” and “(d) arranging for the electronic device to perform one or more additional functionality features associated with said at least one functionality device brought into close spatial proximity whilst said at least one functionality device is maintained in close spatial proximity to said electronic device (**Column 1, lines 62-67; Column 2, lines 1-7**).”*

As per **claim 12**, Strierner discloses “*said at least one functionality device (**companion device**) and said electronic device (**from the companion device’s perspective, a different electronic device**) are arranged to mutually communicate via wireless communication utilizing an electromagnetic signal (**Column 1, lines 56-59**).”*

As per **claim 13**, Strierner discloses “*the electromagnetic signal complies with the Bluetooth standard (**Column 1, lines 56-59**).”*

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. **Claims 2, 6, and 10-11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Strierner (Patent Number US 6,931,463 B2) in view of Henrie et al. (Patent Number US 6,519,144 B1).

As per **claim 2**, while Strierner discloses “*the system*” (see rejection to **claim 1** above), Strierner does not explicitly disclose physical coupling/attachment as disclosed in “*at least one of said one or more functionality devices is arranged to be attachable to the electronic device by means of at least one of a magnetic coupling, a suction pad, an adhesive coupling and a mechanical attachment mechanism.*”

Henrie et al. explicitly disclose physical coupling/attachment as “*at least one of said one or more functionality devices (in one embodiment the cradle 2000) is arranged to be attachable to the electronic device (PDA 100) by means of at least one of a magnetic coupling, a suction pad, an adhesive coupling and a mechanical attachment mechanism (the PDA 100 is physically connected to the cradle 2000 through an electrical connector 181; FIG. 11F and 13).*”

Strierner and Henrie et al. are analogous art in that they are from the same field of device interfacing, particularly of peripheral devices to a main electronic device.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the system as disclosed by Strierner with physical coupling/attachment as disclosed by Henrie et al., since such attachments can not only ensure that a user has all the necessary equipment without concern for a missing component, but also ensure greater security (as wireless signals can be intercepted by outside parties) and less interference, as opposed to wireless signal interfacing.

As per **claim 6**, while Striemer discloses “*the system*” (see rejection to **claim 1** above), Striemer does not explicitly disclose “*said one or more functionality devices are activated in response to actuation of a switch or button on the device,*” which Henrie et al. discloses as “*said one or more functionality devices are activated in response to actuation of a switch or button on the device (the cradle 2000 contains a hot synch button which, when pressed, provides for 'Hot Synch' enablement of the cradle 2000; Column 11, lines 22-27).*”

Striemer and Henrie et al. are analogous art in that they are from the same field of device interfacing, particularly of peripheral devices to a main electronic device.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the system as disclosed by Striemer with device activation through a button or switch as disclosed by Henrie et al., which gives the user more control and flexibility with regard to device/peripheral activation as opposed to having the system automatically do so. Furthermore, such user-determined activation can also allow for the saving of electrical power on the device/peripheral if such device/peripheral runs on a battery. The button/switch is press/actuated only when the user actually needs/desires to operationally connect the device/peripheral.

As per **claim 10**, while Striemer discloses “*the method*” (see rejection to **claim 9** above), Striemer does not explicitly disclose “*close spatial proximity corresponds to physical contact between said electronic device and said at least one functionality device,*” which Henrie et al discloses as “*close spatial proximity corresponds to physical contact between said electronic device and said at least one functionality device (the*

PDA 100 is physically connected to the cradle 2000 through an electrical connector 181; FIG. 11F and 13).

Strierner and Henrie et al. are analogous art in that they are from the same field of device interfacing, particularly of peripheral devices to a main electronic device.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the method as disclosed by Strierner with physical coupling/attachment as disclosed by Henrie et al. (see rejection to **claim 2** above for motivation).

As per **claim 11**, while Strierner discloses “the method” (see rejection to **claim 9** above), Strierner does not explicitly disclose “said at least one functionality device is attached to the electronic device by means of at least one of a magnetic coupling, a suction pad, an adhesive coupling and a mechanical attachment mechanism,” which Henrie et al. discloses as “said at least one functionality device is attached to the electronic device by means of at least one of a magnetic coupling, a suction pad, an adhesive coupling and a mechanical attachment mechanism (**the cradle 2000 contains a hot synch button which, when pressed, provides for 'Hot Synch' enablement of the cradle 2000; Column 11, lines 22-27).**”

Strierner and Henrie et al. are analogous art in that they are from the same field of device interfacing, particularly of peripheral devices to a main electronic device.

It It would have been obvious to one of ordinary skill in the art at the time of invention to combine the method as disclosed by Strierner with physical

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coupling/attachment as disclosed by Henrie et al. (see rejection to **claim 2** above for motivation).

RELEVANT ART CITED BY THE EXAMINER

13. The following prior art made of record and relied upon is cited to establish the level of skill in the applicant's art and those arts considered reasonably pertinent to applicant's disclosure. See **MPEP 707.05(c)**.

14. The following references teach device interfacing, particularly of peripheral devices to a main electronic device.

U.S. PATENT NUMBERS:

2003/0167369 A1

5,768,615

5,799,068

5,903,894

5,959,536

6,032,202

6,522,613 B1

FOREIGN PATENT NUMBERS:

EP 1,330,075 A1

CLOSING COMMENTS

Conclusion

a. STATUS OF CLAIMS IN THE APPLICATION

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15. The following is a summary of the treatment and status of all claims in the application as recommended by **M.P.E.P 707.07(i)**:

a(1). CLAIMS REJECTED IN THE APPLICATION

16. Per the instant office action, claims 1-13 have received a first action on the merits and are subject of a first action non-final.

17. The examiner requests, in response to this Office action, support be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to page(s) and line no(s) in the specification and/or drawing figure(s). This will assist the examiner in prosecuting the application.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY YU whose telephone number is (571)272-9779. The examiner can normally be reached on Monday to Friday, 8:00 AM to 5:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TARIQ HAFIZ can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. Y./
Examiner, Art Unit 2182

/Tammara Peyton/
Primary Examiner, 2182

May 7, 2009